



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Bureau of Health Care Safety and Quality
Medical Use of Marijuana Program
99 Chauncy Street, 11th Floor, Boston, MA 02111

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Governor

KARYN E. POLITO
Lieutenant Governor

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Secretary

MONICA BHAREL, MD, MPH
Commissioner

Tel: 617-660-5370
www.mass.gov/medicalmarijuana

December 19, 2018

Michael Koeller
KT Capital Group, LLC
34 Gardner Street
Chelsea, MA 02150

Re: Request for Information

Dear Mr. Koeller,

This letter is to inform you that the Department of Public Health (“Department”) has reviewed KT Capital Group, LLC’s *Management and Operations Profile* (Application 1 of 1). The *Management and Operations Profile* requires the following information before the Department may complete its evaluation:

1. The Employment and Education Form submitted for Michael Koeller does not indicate the year he attained his degree. Please resubmit a complete Employment and Education Form for Mr. Koeller with this information included.
2. The Employment and Education Forms submitted for Ashley Deprizio and Nicholas Deprizio contain the same employers, titles, and time periods of employment. Please explain whether this information was submitted in error, and resubmit corrected Employment and Education Forms as needed.
3. The Employment and Education Form submitted for Seth Thompson indicates a time period of employment of “Sep 2006-Jan 2012” but does not include an Employer or Title. Please resubmit his Employment and Education Form in full with all required information included.
4. The applicant submitted a Character and Competency form for the “CEO,” and the name of the individual is “KT Applicant Group, LLC.” Please explain whether this was an error, and submit the Character and Competency form for the correct Chief Executive Officer for the applicant corporation.

5. The Character and Competency Form submitted for Seth Thompson does not include the "Title of Individual at Applicant Corporation." Please resubmit his Character and Competency Form in full with this information included.
6. In its response to Question D.17, the applicant has not described the *length* of experience of its Chief Financial Officer with running a business. Please resubmit a complete response to Question D.17 with this information included.
7. Also in its response to Question D.17, the applicant states that Seth Thompson is currently the Director of Zuellig Pharma, but his Employment and Education Form states he ended that position in May of 2015. Please explain this discrepancy in information and submit corrected application materials where necessary.
8. In its response to Question D.20, the applicant states that Alex Fotta attended "Meris College" but his Employment and Education Form states that he attended "Marist College." Please explain this discrepancy in information and submit corrected application materials where necessary.
9. Also in its response to Question D.20, the applicant has not described the *length* of experience of the applicant's Director of Cultivation or Director of Security in providing services for marijuana for medical purposes. Please resubmit a complete response to Question D.20 with this information included.
10. In its response to Question E.21, the applicant states, "No pesticides will be used in accordance with DPH guidelines and 105 CMR 725.105(B)(1)(d)...Cultivation best practices employed to limit contamination, incl. mold, fungus, bacterial diseases, rot, pests, mildew, and other contaminants." Based on this response, it's unclear whether the applicant intends to be in compliance with the regulations regarding pesticides. Pursuant to 105 CMR 725.105(B)(1)(d), "Application of any pesticide not approved by the Department in the cultivation of marijuana is prohibited." Please resubmit a complete response to Question E.21 that is in compliance with the regulations regarding pesticides.

Currently, there are no pesticides approved for use in the cultivation of marijuana and RMDs are prohibited from using any pesticides. Please also provide an affirmative statement that the applicant understands that unless and until such express written approval is given, it will not use any pesticides in cultivating marijuana.

11. In its response to Question E.25, the applicant states, "Per 725.105(C)(3) Agent will display badges issued by RMD and DPH at all times." The regulation cited does not pertain to agent badges. The applicant must resubmit a completed response to Question E.25 that identifies the correct section of the regulations.
12. In its response to Question E.29, the applicant states that it will test for, "the presence of non-DPH approved pesticides..." 105 CMR 725.105(C)(2)(a) requires that, "Marijuana shall be tested for the cannabinoid profile and for contaminants specified by the Department including, but not limited to, mold, mildew, heavy metals, and plant-growth regulators, and *the presence of pesticides* [emphasis

added].” Please resubmit a complete response to Question E.29 that is in compliance with the regulations regarding pesticides.

Currently, there are no pesticides approved for use in the cultivation of marijuana and RMDs are prohibited from using any pesticides. Please also provide an affirmative statement that the applicant understands that unless and until such express written approval is given, it will not use any pesticides in cultivating marijuana.

If the applicant has been requested to resubmit their response to a question, please do so using the page on the application form for that particular question, and include an initialed attestation at the bottom of the page. The applicant need not resubmit the entire application and may submit only the page for the particular question that needs to be submitted.

Please remember to type all responses in the information or materials resubmitted to the Department, other than any required signatures, as well as include the name of the Applicant Corporation *and* the number of the application (e.g., Application 1 of 1) at the top of each page of the resubmitted information or materials.

Please resubmit the additional or revised information as outlined above, via U.S. mail or hand-delivery, to:

Department of Public Health
Medical Use of Marijuana Program
RMD Applications
99 Chauncy Street, 11th Floor
Boston, MA 02111

Upon receipt, the Department will review the information and will notify the applicant if it is invited to submit a *Siting Profile* or if further information is required before the applicant may proceed.

If you have questions or need assistance, you may contact the Department at 617-660-5370 or RMDapplication@state.ma.us.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Elizabeth Chen', with a stylized flourish at the end.

Elizabeth Chen, PhD, MBA, MPH
Assistant Commissioner
Massachusetts Department of Public Health